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09/977,389	10/16/2001	Shinichiro Iwata	Q66666	3033

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SUGHRUE, MION, ZINN, MACPEAK & SEAS
2100 Pennsylvania Avenue, N.W.
Washington, DC 20037

EXAMINER	
LE, DUY K	

ART UNIT	PAPER NUMBER
2685	6

DATE MAILED: 04/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/977,389	IWATA, SHINICHIRO	
	Examiner	Art Unit	
	Duy K Le	2685	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-10 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-10 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 3, 4, 5.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 2, and 6-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Larsson et al. (U.S. Patent 6,697,638).

As to claim 1, Figure 11 in Larsson shows a radio communication connection destination specifying method of establishing a link between electronic information communication devices in a radio communication system which executes radio communication using a radio wave, comprising the steps of:

transferring device identification information (Bluetooth device address) of an electronic information communication device of a connection request source (handset) to an electronic information communication device of a connection request destination (car kit) using, as radio communication, radio communication with strong directivity (Bluetooth air link) ("at step 1102, the driver holds the handset within a few inches of the car kit. The driver presses the key on the handset at 1104, causing the handset to start scanning for inquiries and pages. At step 1106, the handset receives an inquiry, and sends a reduced power inquiry response at 1108. The inquiry response includes the handset's Bluetooth device address" (Col. 5, lines 35-43). "Each Bluetooth

unit can also include a Bluetooth device name, which is a user-friendly text string, having a maximum of 240 bytes" (Col. 3, lines 10-13)); and

causing the electronic information communication device of the connection request destination to specify the electronic information communication device of the connection request source on the basis of the transferred device identification information and to establish the link ("step 1110 determines if the car kit has received responses from more than one Bluetooth device. If so, the activation procedure is stopped at 1112. If only one unit has responded, then the car unit starts paging the responding handset at 1114. Both units—the car kit and the handset—transmit at nominal power after this page. At step 1118, the handset responds to one of the pages, and establishes a piconet with the car unit as the master" (Col. 5, lines 44-51)).

As to claim 2, the Larsson reference discloses a method according to claim 1, wherein the radio communication system is a short distance radio data communication system ("the portable phone communicates with the car kit using Bluetooth" (Col. 2, lines 44-45). "In general, the Bluetooth specification is a standard intended for relatively short range, e.g., 100-200 meter, wireless communication" (Col. 2, lines 50-52)).

As to claim 6, the Larsson reference discloses a method according to claim 1, wherein the transfer step comprises the step of transferring a short-distance radio data communication device address as the device identification information ("the inquiry response includes the handset's Bluetooth device address" (Col. 5, lines 41-43)).

As to claim 7, the Larsson reference discloses a method according to claim 1, wherein the transfer step comprises the step of transferring a short distance radio data communication device name as the device identification information ("mode 1C operates by responding to the

Bluetooth text addresses, rather than to the Bluetooth 48 bit address" (Col. 4, lines 34-35). See also Col. 3, lines 10-13).

As to claim 8, the Larsson reference discloses a method according to claim 1, further comprising the step of, before transfer of the device identification information, causing the device of the connection request source to face the device of the connection request destination ("at step 1102, the driver holds the handset within a few inches of the car kit. The driver presses the key on the handset at 1104, causing the handset to start scanning for inquiries and pages. At step 1106, the handset receives an inquiry" (Col. 5, lines 35-39)).

As to claim 9, the Larsson reference discloses a method according to claim 8, wherein the method further comprises the steps of

upon receiving the device identification information, transmitting an inquiry request from the electronic information device of the connection request destination to all electronic information devices including the connection request source (see Col. 3, lines 60-67; car kit is "destination" and handset, "source"), and

upon receiving the inquiry request, returning an inquiry response from all the electronic information devices including the connection request source to the electronic information device of the connection request destination (see Col. 4, lines 1-14), and

the link establishment step comprises the step of establishing the link upon determining that the electronic information device for which the device identification information received for the first time matches that received for the second time is the connection request source (see Col. 4, lines 1-14).

As to claim 10, the Larsson reference discloses a method according to claim 9, wherein

when no device identification information is received from the electronic information device of the connection request source within a predetermined time after a receiving state is set, the inquiry request is transmitted from the electronic information device of the connection request destination to all the electronic information devices including the connection request source (see Col. 4, lines 48-51, Col. 5, lines 10-15).

a user is notified of pieces of device identification information contained in inquiry responses returned from all the electronic information devices including the connection request source upon receiving the inquiry request ("at step 1012, the handset requests and displays information from the car kit. This includes the car registration number. The driver acknowledges the desire to connect to the particular unit by pressing a key on the handset keypad" (Col. 5, lines 24-27)), and

the link is established upon determining the electronic information device selected by user's operation as the connection request source ("at step 1012, the handset requests and displays information from the car kit. This includes the car registration number. The driver acknowledges the desire to connect to the particular unit by pressing a key on the handset keypad" (Col. 5, lines 24-27)).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 3-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,697,638 to Larsson et al. in view of Bell (U.S. Patent 6,600,902).

As to claim 3, the Larsson reference discloses a method according to claim 1. However, it does not expressly disclose the transfer step comprises the step of transferring the device identification information using infrared communication as the radio communication with strong directivity. The Bell reference teaches the transfer step comprises the step of transferring the device identification information using infrared communication as the radio communication with strong directivity ("the present invention relates to a method of conveying data objects to wireless stations through short-range wireless links such as radio links, infra-red links, or any other suitable wireless links or combinations of different types of wireless links. The short-range wireless links can be wireless links in accordance with the so-called Bluetooth Specification, or any other suitable short-range wireless link. The wireless stations can be cellular or cordless phones, personal computers, PDAs, laptops, palm pilots, or any other suitable portable devices" (Col. 1, lines 8-17)).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method of Larsson wherein the transfer step comprises the step of transferring the device identification information using infrared communication as the radio communication with strong directivity, as taught by Bell, in order to support different types of wireless links.

As to claim 4, Larsson-Bell discloses a method according to claim 3, wherein the transfer step comprises the step of transferring the device identification information using a connectionless service as the infrared communication (see Bell: col. 2, lines 27-52).

As to claim 5, Larsson-Bell discloses a method according to claim 3, wherein the transfer step comprises the step of transferring the device identification information using a connection oriented service as the infrared communication (see Bell: col. 2, lines 27-52).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Roundtree (U.S. Patent 6,640,098) discloses system for obtaining service-related information for local interactive wireless devices.

b. Logan (U.S. Patent 6,631,271) discloses rules based methods and apparatus.

c. Wood, Jr. (U.S. Patent 6,104,333) discloses methods of processing wireless communication, methods of processing radio frequency communication, and related systems.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duy K Le whose telephone number is 703-305-5660. The examiner can normally be reached on 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward F Urban can be reached on 703-305-4385. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Duy Le
March 29, 2004